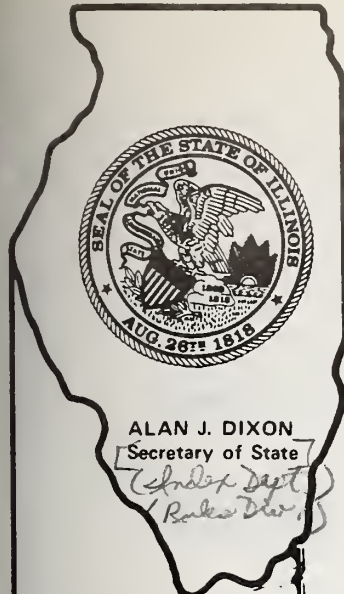


8-868



ILLINOIS REGISTER

Rules and Regulations of Governmental Agencies

CONTENTS

VOLUME 2
ISSUE 13

PROPOSED RULES

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Purchase Rules 36

SECRETARY OF STATE

Administrative "Rules on Rules" 1

Repeal of Administrative "Rules on Rules" 27

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ILLINOIS STATE
DOCUMENT DEPOSITORY

MARCH 31,
1978

T.C. Christian, Editor
Index Department
Rules Division
490 Centennial Bldg.
Springfield, IL 62756

(217) 782-9786

Office of the Secretary of State

NOTICE OF PROPOSED RULEMAKING

1. Agency: Office of the Secretary of State
2. Statutory Authority: Illinois Revised Statutes, Chapter 127 Paragraph 1001 et seq.
3. Summary and Purpose of Proposed Rulemaking: The Office of the Secretary of State is proposing a complete revision of the Rules on Rules to assure uniformity of submission to the Illinois Register and filing of rules. The Rules on Rules effective January 1, 1978 will be repealed.
4. Submission of Comments: Persons who wish to submit comments on these proposed rules may submit them in writing no later than April 14, 1978 to Donald D. Ed, Director of the Index Department, Office of the Secretary of State, 109 Capitol Building, Springfield, Illinois 62756.

The full text of the proposed rule is as follows:

RULES ON RULESARTICLE I

Applicability, Definitions and Authority

- Rule 1.01 *These rules are adopted and issued pursuant to the Secretary of State's authority as specified by The Illinois Administrative Procedure Act (Illinois Revised Statutes, Chapter 127, Paragraph 1001 et seq.).*
- Rule 1.02 *All agencies of the Executive, Judicial and Legislative branches of State government are subject to the rulemaking provisions of The Illinois Administrative Procedure Act, except;*
- a. the Office of the Governor;*
 - b. the legislature and*
 - c. the courts.*
- Rule 1.03 *The definition of rule is broad in scope as stated in The Illinois Administrative Procedure Act. The definition includes all agency statements of general applicability that implement, apply, interpret, or prescribe law or policy. The only exceptions to this definition are statements which are:*
- a. statements concerning only the internal management of an agency and not affecting private rights or procedures available to persons or entities outside the agency,*
 - b. informal advisory rulings issued pursuant to Section 9,*
 - c. intra-agency memoranda or*
 - d. the prescription of standardized forms.*
- Rule 1.04 *Secretary of State means the Office of the Rules and Regulations Division of the Index Department.*

ARTICLE II

Publication of Illinois Register

- Rule 2.01 *The Secretary of State will publish and distribute the Illinois Register each Friday. However, if Friday is an official state holiday, the Illinois Register will be published and distributed on the following working day.*
- Rule 2.02 *All materials submitted pursuant to the provisions of these rules to the Secretary of State for publication in the Illinois Register received by 12:00 noon on the last working day of the week will be published in the Register of the following week.*

- Rule 2.03 Each issue of the Illinois Register will contain a table of contents by agency in alphabetical order within the following categories:
- a. Proposed Rulemaking;
 - b. Rules Adopted;
 - c. Emergency Rulemaking;
 - d. Federal or Court Ordered Rulemaking;
 - e. Joint Committee on Administrative Rules - Notices;
(Agenda)
(Statements of objection)
(Agency failure to respond)
 - f. Agency action on statement of objection;
(Modification or withdrawal).
- Rule 2.04 The Secretary of State will prepare a cumulative agency and subject index of all Illinois Registers issued during the calendar year. Such indices will be distributed to all persons subscribing to the Illinois Register (see Article XII).

ARTICLE III

Non-Compliance With The Provisions of These Rules

- Rule 3.01 The Secretary of State will review all materials submitted pursuant to the provision of these rules or The Illinois Administrative Procedure Act *to determine if those materials comply with the format and style requirements of these rules or act.*
- Rule 3.02 If the Secretary of State determines that any materials were submitted in non-compliance with these rules or The Illinois Administrative Procedure Act, the materials shall be returned to the issuing agency within 5 working days along with a written explanation. Any materials returned will not be published in the Illinois Register until it is corrected and re-submitted.

ARTICLE IV

Notice of Proposed Rulemaking

- Rule 4.01 *Notice of any proposed rule, amendment to a rule or repeal of a rule shall be published in its entirety in the Illinois Register at least 45 days before the Secretary of State will accept a certified copy of the rule for permanent filing.*

- Rule 4.02 All notices of proposed rulemaking shall be on 8 1/2 x 11 inch paper and in quadruplicate, consisting of one original and three duplicates. Each page will be titled ILLINOIS REGISTER in all caps on a solid line one inch from the top of the page as shown in Illustration I. There will be a one inch margin on each side and only one side of the paper shall be used. The type shall be ten point. A certification in the form as shown in Illustration II shall accompany the proposed notice(s).
- Rule 4.03 Each notice shall include:
- a. The first page shall be a summary page(s) including the following information: (see Illustration III)
 1. *the name of the agency, department, commission or board issuing the notice;*
 2. *the specific statutory citation upon which the notice is based and authorized;*
 3. *a brief description of all the subject matters and issues involved; and*
 4. *the time, place and the manner in which all interested persons may present their views concerning the proposed action. All persons who submit a request to comment within 14 days after this notice has been published shall be given a reasonable opportunity to submit data, views, arguments or comments.*
 - b. The text of the proposed rulemaking shall be in the following form: (see Illustration IV)
 1. *if the proposal is a new rule, the full text of the new rule; or*
 2. *if the proposal is an amendment to a rule, the full text of the existing rule with proposed changes indicated. Language being deleted shall be indicated by lining through the text and new language shall be indicated by underlining; or*
 3. *If the proposal is a repealer, the full text of the rule to be repealed.*
- Rule 4.04 When an agency elects to modify or withdraw a rule to meet the objections of the Joint Committee on Administrative Rules, notice shall be published in the Register (see Illustration XV). A proposed rule which has been objected to by the Joint Committee will not be filed as a rule unless at the time of filing with the Secretary of State the rule is accompanied by this statement of modification or a copy of the agency's response to the Joint Committee refusing to modify or withdraw the rule.

ARTICLE V

Emergency Rules

- Rule 5.01 *If an agency finds that an emergency exists which requires the adoption of a rule upon fewer than 45 days, the agency shall be exempt from the notice of proposed rulemaking of Article IV.*
- Rule 5.02 Such emergency rules shall be filed with the Secretary of State as provided by Rule 8.02 and 8.03. However, along with any filing of an emergency rule the issuing agency shall state in writing its reasons for finding an emergency. A certification in the form shown in Illustration V shall accompany the emergency rule(s).
- Rule 5.03 Accompanying each emergency rule shall be a notice to be published in the Illinois Register which shall include:
- a. The first page shall be a summary page(s) including the following information: (see Illustration VI)
 - 1. the name of the agency, department, commission or board issuing the notice;
 - 2. the specific statutory citation upon which the notice is based and authorized;
 - 3. the effective date of the rule;
 - 4. reason for emergency.
 - b. The text of the emergency rulemaking: (see Illustration VII)
- Rule 5.04 All notices filed under this Article shall be on 8 1/2 x 11 inch paper and in quadruplicate, consisting of one original and three duplicates. Each page will be titled ILLINOIS REGISTER in all caps on a solid line one inch from the top of the page as shown in Illustration I. There will be a one inch margin on each side and only one side of the page shall be used. The type shall be ten point.

- Rule 5.05 An emergency rule shall be numbered as if it were going to be adopted as a permanent rule. However, directly under the rule number the word EMERGENCY shall be typewritten in all caps. This will allow persons to relate the emergency rule to the issuing agency's permanent set of rules.
- Rule 5.06 *An emergency rule shall be effective for a period not to exceed 150 days. If the issuing agency does not send a written certification to the Secretary of State requesting repeal of such rule within this time period, the rule shall automatically be repealed after 150 days.*
- Rule 5.07 If an agency wishes to adopt an emergency rule as a permanent rule, it must prescribe the rule pursuant to the provisions of Articles IV and VIII of these rules.
- Rule 5.08 If an issuing agency adopts a rule to replace an emergency rule, the agency shall send a written certification repealing the emergency rule at the same time it files the permanent rule as required by Article VIII. The written certification should repeal the emergency rule the same day the permanent rule becomes effective.

ARTICLE VI

Rules Required by Federal Rules or Laws, or Court Order

- Rule 6.01 *If an agency is required by federal law, federal rules and regulations or by an order of a court to adopt a rule under conditions which preclude it from complying with Article IV, the agency shall submit a copy of the rule according to Rule 8.02 and 8.03. A certification in the form shown in Illustration VIII shall accompany the rule.*

However, if an agency, which is required by federal law, federal rules and regulations or by an order of a court, to adopt a rule, can comply with the provisions of Article IV, it shall do so.

- Rule 6.02 Accompanying each rule filed pursuant to this Article shall be a notice to be published in the Illinois Register which shall include:
- a. The first page shall be a summary page(s) including the following information:
(see Illustration IX)
 1. the name of the agency, department, commission or board issuing the notice;
 2. a statement that the rule is filed in compliance with Section 5(e) of The Illinois Administrative Procedure Act.
 - b. A rulemaking page(s) which shall have the complete text of the rule as shown in Illustration X.
- Rule 6.03 All notices filed under this Article shall be on 8 1/2 x 11 inch paper and in quadruplicate, consisting of one original and three duplicates. Each page will be titled ILLINOIS REGISTER in all caps on a solid line one inch from the top of the page as shown in Illustration I. There will be a one inch margin on each side and only one side of the paper shall be used. The type shall be ten point.
- Rule 6.04 A rule adopted under the provisions of this Article shall be numbered as if it were adopted pursuant to Articles IV and VIII. However, directly under the rule number the word FEDERAL or COURT, as the case may be, shall be typewritten in all caps. This will allow persons reviewing an agency's set of rules to see which specific rules were exempt from the 45 day notice of proposed rulemaking.

ARTICLE VII

Rules Required to be Filed by Illinois Administrative Procedure Act Section 4.01

- Rule 7.01 Each agency shall adopt and maintain as a rule the following:
- a. *a current description of the agency's organization with charts depicting same;*
 - b. *the current procedures on how the public can obtain information or make submissions or requests on subjects, programs, and activities of the agency;*
 - c. *tables of contents, indices, reference tables, and other materials to aid users in finding and using the agency's collection of rules currently in force; and*

- d. *a current description of the agency's rule-making procedures with necessary flow charts depicting same.*

- Rule 7.02 Rules filed pursuant to this Article shall be on 8 1/2 x 11 inch paper and in triplicate, consisting of one original and two duplicates. There shall be a one inch margin at the top and both sides of the page. Only one side of the page shall be used. The type shall be ten point.
- Rule 7.03 Rules filed pursuant to this Article become effective upon filing with the Secretary of State and may be adopted, amended or repealed without going through 45 day notice of proposed rulemaking.
- Rule 7.04 A rule adopted under the provisions of this Article shall be numbered as if it were adopted pursuant to Articles IV and VIII. However, directly under the rule number the word INTERNAL shall be typewritten in all caps. This will allow persons reviewing an agency's set of rules to see which specific rules are exempt from the 45 day notice of proposed rulemaking.

ARTICLE VIII

Filing of Rules, Amendments and Repealers and Notice of Rulemaking

- Rule 8.01 *After the expiration of the 45 day notice of proposed rulemaking any rule, amendment or repealer which an agency adopts shall be filed and certified with the Secretary of State. The certification shall be in the form as in Illustration XI.*
- Rule 8.02 All rules, amendments or repealers shall be typewritten on plain 8 1/2 x 11 inch, three-hole punched loose-leaf paper, suitable for being placed in a standard loose-leaf binder for paper that size. Rules shall be filed in triplicate, consisting of one original and two duplicates. There shall be a one inch margin at the top and each side of the page and only one side of the paper shall be used. The type shall be ten point.
- Forms which are filed as a rule need only to comply with the 8 1/2 x 11 inch page size requirement of this rule.
- Rule 8.03 If a rule, amendment or repealer makes any change on any page or pages of an agency's set of rules previously on file with the Secretary of State, the agency shall file a suitable replacement page or pages with the necessary changes.

Rule 8.04 *Accompanying each filing of a rule, amendment to a rule or repeal of a rule shall be a notice of rule-making. All notices shall be on 8 1/2 x 11 inch paper and in triplicate consisting of one original and two duplicates. Each page shall be titled ILLINOIS REGISTER in all caps on a solid line one inch from the top of the page as shown in Illustration I. There will be a one inch margin on each side and only one side of the paper shall be used. The type shall be ten point.*

Rule 8.05 Each notice shall include:

- a. The first page shall be a summary page(s) including the following information:
(see Illustration XII)
 1. the name of the agency, department, commission or board issuing the notice;
 2. the specific statutory citation upon which the notice is based and authorized;
 3. the effective date of the adopted rule, amendment or repealer;
 4. the date the notice of proposed rulemaking was published in the Illinois Register;
 5. a statement of the changes made between the proposal and the finally adopted version.
- b. The text of the rulemaking shall be in the following form: (see Illustration XIII)
 1. *if the material is a new rule, the full text of the new rule;*
 2. *if the material is an amendment to a rule or rules, the full text of the rule or rules as amended; and*
 3. *if the material is a repealer, the full text of the material to be repealed.*

Rule 8.06 If a notice of rulemaking is a combination of a new rule, an amendment or a repealer, the notice shall use the appropriate combination under Rule 8.05b.

ARTICLE IX

General Provisions Concerning Rules

Rule 9.01 There shall be a suitable table of contents for each set of rules on file with the Secretary of State.

- Rule 9.02 Each agency shall provide for each section of its rules an appropriate title and section number. If the rules are grouped according to Article, and the individual rules are relatively short, an appropriate title for each article is adequate and a separate title need not be given to each rule.
- Rule 9.03 Each page of a set of rules shall be numbered consecutively at the bottom in the center of the page.
- Rule 9.04 Rules shall not unnecessarily repeat statutory language. Whenever it is necessary to repeat or paraphrase statutory language in a rule, it shall be typewritten in italic or distinguishing type.
- Rule 9.05 An agency may include with its rules as footnotes, the citation and brief digests of court cases and Attorney General's opinions. Such footnotes shall be numbered in sequence and the text of such footnotes shall be at the bottom of the same page where the footnotes appeared in the text of the rule.
- Rule 9.06 It shall be stated immediately following the last sentence of each rule in parentheses when the rule was originally adopted and when the rule was last amended.
- Rule 9.07 The text of all materials submitted for publication in the Illinois Register and for filing with the Secretary of State shall be in regular, Roman, or Gothic type face, except as provided by Rule 9.04 of this Article.
- Rule 9.08 Any table, illustration or example included within the text of a rule must be labeled and clearly identified as such. All tables, illustrations and examples shall be numbered in sequence so they can easily be referenced.
- Rule 9.09 The statutory authority upon which an agency issues a set of rules shall be cited in the text of the rules. This citation should be located at the beginning of the rules.

ARTICLE X

Compilations and Indexing of Rules

- Rule 10.01 *The agency shall compile, index and publish all its rules adopted under the provisions of The Illinois Administrative Procedure Act. Compilations shall be supplemented or revised and certified as current to the Secretary of State at least once every 2 years (see Illustration XIV).*
- Rule 10.02 Such compilations shall be typewritten on plain 8 1/2 x 11 inch, three-hole punched loose-leaf paper, suitable for being placed in a standard loose-leaf binder for paper that size. Compilations shall be submitted in duplicate consisting of one original and a copy. There shall be a one inch margin at the top and each side of the page and only one side of the page shall be used. The type shall be ten point.
- Rule 10.03 The General Provisions concerning rules as prescribed in Article IX shall be used by each agency when preparing their compilation. If such provisions are not used, the compilation will not be accepted for filing.

ARTICLE XI

Public Inspection and Copying

- Rule 11.01 *Each agency shall file in the office of the Secretary of State and in the agency's principal office a certified copy of each rule and modification or repeal of any rule adopted by it. The Secretary of State and the agency shall each keep a permanent register of the rules open to public inspection.*
- Rule 11.02 The Secretary of State or an agency shall provide a copy of any rule to the public upon request in writing or in person. The public will be charged statutory or other reasonable fees for photo copies of rules.

ARTICLE XII

Subscriptions to Illinois Register

- Rule 12.01 All agencies required to file under The Illinois Administrative Procedure Act will receive one issue of the Illinois Register per week exempt from fee.
- Rule 12.02 All persons not covered by Rule 12.01 wishing to receive an issue of the Illinois Register each week shall pay the annual subscription rate set by the Secretary of State.

ILLUSTRATION I

ILLINOIS REGISTER

(Agency Name)

Solid Line Shall Be
One Inch From Top
Of Page & One Inch
Margin From each Side

ILLUSTRATION II

CERTIFICATION OF PROPOSED RULES

The _____
(Name of Agency, Board, Commission or Department)

certifies that the attached hereto is a true and correct copy

of: (Proposed Rules, Chapter and Article, Page or Pages) _____

which was duly proposed on the _____ day
of _____, 19 _____

Statutory Authority:

Illinois Revised Statutes

(Chapter)

(Paragraph)

Dated this _____ day of _____, 19 _____

(Signature of Officer)

(Title of Officer)

ILLUSTRATION III

ILLINOIS REGISTER

(Agency Name)

NOTICE OF PROPOSED RULEMAKING

1. Agency:
2. Statutory Authority:
3. Summary and Purpose of Proposed Rulemaking:
4. Submission of Comments:

The full text of the proposed rule is as follows:

ILLUSTRATION IV

ILLINOIS REGISTER

(Agency Name)

TEXT OF PROPOSED RULE *

* If the proposal is an amendment this title should read:

TEXT OF PROPOSED AMENDMENT;

or if the proposal is a repealer this title should read:

TEXT OF PROPOSED REPEALER.

If a notice of proposed rulemaking is a combination of a new rule, an amendment or a repealer, the title should use the appropriate combination.

(Each page having text of the proposal shall be titled as indicated in this Illustration.)

ILLUSTRATION V

CERTIFICATION OF EMERGENCY RULES

The

(Name of Agency, Board, Commission, or Department)

certifies that the attached hereto is a true and correct copy
of: (Rules, Chapter and Article, Page or Pages)

which was duly adopted on the _____ day
of _____, 19 _____

of which this Agency has determined that the adoption of this Rule
is immediately necessary because:

Statutory Authority:

Illinois Revised Statutes

(Chapter)(Paragraph)

Dated this _____ day of _____, 19 _____

(Signature of Officer)(Title of Officer)

ILLUSTRATION VI

ILLINOIS REGISTER

(Agency Name)

NOTICE OF EMERGENCY RULEMAKING

Emergency Rules Become Effective Upon Filing with the
Secretary of State and Remain Effective for a
Period Not to Exceed 150 Days.

Agency:

Statutory Authorization:

Effective Date of Rule:

Reason for Emergency:

The full text of Emergency Rule(s) is as follows:

ILLUSTRATION VII

ILLINOIS REGISTER

(Agency Name)

TEXT OF EMERGENCY RULE

(Each page having text of the emergency rule shall be
titled as indicated in this Illustration)

ILLUSTRATION VIII

CERTIFICATION OF FEDERAL OR COURT ORDERED RULES

The _____
(Name of Agency, Board, Commission, or Department)

certifies that the attached hereto is a true and correct copy
of: (Rules, Chapter and Article, Page or Pages) _____

which was duly adopted on the _____
day of _____, 19 _____

of which this agency has determined that the adoption of this Rule
does not require a notice of proposed rulemaking because:

Statutory Authority:

Illinois Revised Statutes

(Chapter)

(Paragraph)

Dated this _____ day of _____, 19 _____

(Signature of Officer)

(Title of Officer)

ILLUSTRATION IX

ILLINOIS REGISTER

(Agency Name)

NOTICE OF FEDERAL OR COURT ORDERED RULEMAKING

Rule Became Effective Upon Filing with Secretary of State

Agency:

This rule is filed in compliance with Section 5(e) of the
Illinois Administrative Procedure Act.

The full text of Federal or Court Ordered Rule(s) is as follows:

ILLUSTRATION X

ILLINOIS REGISTER

(Agency Name)

TEXT OF FEDERAL ORDERED RULE *

*If the rule is a court ordered rule this title should read:

TEXT OF COURT ORDERED RULE.

(Each page having text of the federal or court ordered rule shall be titled as indicated in this Illustration.)

ILLUSTRATION XI
CERTIFICATION OF RULES

The _____
(Name of Agency, Board, Commission, or Department)
certifies that the attached hereto is a true and correct copy
of: (Rules, Chapter and Article, Page or Pages) _____

which was duly (adopted, amended, or repealed) on the _____
day of _____, 19 _____

Statutory Authority:

Illinois Revised Statutes

(Chapter)

(Paragraph)

Dated this _____ day of _____, 19 _____

(Signature of Officer)

(Title of Officer)

ILLUSTRATION XII

ILLINOIS REGISTER

(Agency Name)

NOTICE OF RULES ADOPTED

Agency:Statutory Authority:Effective Date of Rule:Date Notice of Proposal Published in Register:Difference between proposal and final version:Summary and Purpose of Rule:

The full text of Adopted Rule(s) is as follows:

ILLUSTRATION XIII

ILLINOIS REGISTER

(Agency Name)

TEXT OF ADOPTED RULE

(Each page having the text of the rule in its final version shall be titled as indicated in this Illustration.)

ILLUSTRATION XIV

CERTIFICATION OF COMPILATION OF RULES

The _____
(Name of Agency, Board, Commission or Department)
certifies that the attached compilation contains a true and
correct copy of all rules adopted and on file with the Secretary
of State on the _____ day of _____, 19 _____

Statutory Authority:

Illinois Revised Statutes

(Chapter)_____
(Paragraph)_____
(Signature of Officer)_____
(Title of Officer)

ILLUSTRATION XV

ILLINOIS REGISTER

(Agency Name)

NOTICE OF (MODIFICATION OR WITHDRAWAL)* OF PROPOSED RULEMAKING TO
MEET THE JOINT COMMITTEE ON ADMINISTRATIVE RULES' OBJECTIONS

Agency: (cite original proposal)

Date Notice of Proposal Published in Register:

Date Joint Committee on Administrative Rules'
Statement of Objections Published in Register:

Summary of Action Taken by the Agency:

*use appropriate word (Modification or Withdrawal)

Text of Proposed Repealer

ARTICLE IDefinitions as used in this Act

Rule 1.01 The following statutory terms are used as hereinafter defined unless said contents requires a different meaning:

The term "Act" means the Illinois Administrative Procedure Act, which was approved September 22, 1975, as amended.

The term "Agency" is defined as in the Illinois Administrative Procedure Act, as follows:

"Agency" means each State Board, commission, department, or officer, other than the Governor, Legislature, or the courts, authorized by law to make rules or to determine contested cases.

The term "Rule" is defined as in the Illinois Administrative Procedure Act, as follows:

"Rule" means each agency statement of general applicability that implements, applies, interprets, or prescribes law or policy, but does not include (a) statements concerning only the internal management of an agency and not affecting private rights or procedures available to persons or entities outside the Agency. (b) informal advisory rulings issued pursuant to Section 9, (c) intra-agency memoranda or (d) the prescription of standardized forms.

ARTICLE IICertification of Rules

Rule 2.01 Any rule on file with the Secretary of State on January 1, 1978 shall be void 60 days after that date, unless, within such 60 day period the issuing agency certifies to the Secretary of State that the rule is currently in effect.

Rule 2.02 Certifications will be in the form as indicated in Illustration II for filing and Illustration III for emergency filing.

Text of Proposed Repealer

- Rule 2.03 Certifications filed will be typewritten on three hole punched loose-leaf paper having the dimensions of eight and one half inches by eleven inches, suitable for being placed in a standard loose-leaf binder for paper that size.

ARTICLE IIIFiling of Proposed Rules

- Rule 3.01 Agencies must give at least 45 days notice of their intended action on rules. The Illinois Register is published weekly. This contains notification by the agency of its intended action on rules. The agency must submit its proposed rules for publication in the Illinois Register no later than 12:00 noon on the last working day of each week. The 45 day minimum required notice shall begin on the day of publication of the agency's Rules.
- Rule 3.02 All agencies shall submit the proposed rules for the publication in the Illinois Register on 8½ x 11 paper and in quadruplicate consisting of one original and three duplicates. Also, all pages as indicated in Illustration I, attached, will be titled ILLINOIS REGISTER on a solid line in all caps one inch from the from the top of the page and have a one inch margin on each side.
- Rule 3.03 The proposed rules will be in the following format:
- A. Name of Agency, Department, Commission or Board.
 - B. Proposed action on rule.
 - C. Statutory citation upon which rule is authorized.
 - D. Description of all subject matter and issues involved.
 - E. Complete text of rules involved.
 - F. Time, place and manner in which all interested persons may present their views concerning the proposed action.

Text of Proposed Repealer

- Rule 3.04 If any agency finds that an emergency exists and requires adoption of a rule upon fewer than 45 days notice, the agency must state in writing its reason. Then, an emergency rule may be filed and become effective immediately. This rule may be effective for a period no longer than 150 days from the date of filing.
- Rule 3.05 An agency shall file an emergency rule pursuant to Rules 4.01 through 4.04.

ARTICLE IVFiling of Adopted Rules

- Rule 4.01 After the expiration of the 45 day notice, all agencies will file their rules in the following manner:

A certified copy of every rule adopted by an Agency shall be filed with the Rules and Regulations Section in triplicate, (one original and two copies) and no such rule shall become effective less than ten days after the original thereof has been so filed, except that, in case of an emergency a rule may become effective immediately upon such filing if accompanied by a certificate stating the specific reason.

- Rule 4.02 Rules shall be in codified form and shall be arranged according to the particular Acts administered by the agency to which such rules are applicable.
- Rule 4.03 Rules shall be typewritten or printed on three-hole punched loose-leaf paper having dimensions of eight and one half inches by eleven inches, suitable for being placed in a standard loose-leaf binder for paper that size. Only one side of the paper shall be used. Forms which are filed need not comply with the specification of this Rule, but shall be attached to the rules in such a manner that they can be placed in the same binder.

Text of Proposed Repealer

- Rule 4.04 Each set of rules filed shall be accompanied by a suitable table of contents as prescribed by law. Each page shall be numbered at the bottom.
- Rule 4.05 If the rule makes any change on any page or pages of the rules previously on file with the Rules and Regulations Section, the agency shall propose and file a suitable replacement page or pages.
- Rule 4.06 Also, at the same time the agency will again submit the filed rules for publication in the Illinois Register on 8½ x 11 paper and in triplicate consisting of one original and two duplicates. Also all paper as indicated in Illustration I, attached, will be titled IL-LINOIS REGISTER on a solid line in all caps one inch from the top of the page. And have a one inch margin on each side.
- Rule 4.07 The material published in the Illinois Register shall contain the following:
- A. If the material is a new rule
the full text of the new rule.
 - B. If the material is an amendment
to a rule or rules, the full
text of the rule or rules as
amended.
 - C. If the material is a repealer,
the full text of the material
to be repealed.

(NO PUBLIC HEARING WILL BE HELD
ON FINAL FILED RULE PUBLISHED IN
THE ILLINOIS REGISTER.)

Text of Proposed Repealer

ARTICLE VGeneral Provisions Concerning Rules

- Rule 5.01 Each agency shall provide for each section of its rules an appropriate title and section number. If the rules are grouped according to Article and the individual rules are relatively short, an appropriate title for each article is sufficient and a separate title need not be given to each rule.
- Rule 5.02 Rules shall not unnecessarily repeat statutory language. Whenever it is necessary to refer to statutory language, the reference shall clearly indicate the portion of the language which is statutory and the portion which is the agency's amplification of the language.
- Rule 5.03 An agency may include with its rules, brief notes, illustrations, findings of facts, digests of court cases or Attorney General's opinions, or other explanatory matter, if such matter is labeled or set forth in a manner which clearly distinguishes it from the rules.

Except as provided pursuant to this "Rule", material which is not a "Rule" within the statutory definition will not be accepted for filing.

ARTICLE VIMaterial not qualifying as Rules

- Rule 6.01 Many agencies have heretofore ignored the statutory definition of "Rule" and have filed material which does not qualify as a rule, either because it is not of general application or because it comes within one of the specific exclusions. Such material will not be accepted for filing.
- Rule 6.02 The Secretary of State recognizes that there may be instances where there is considerable question as to whether a particular regulation is within or without the statutory definition of a rule, and that, in such instances the agency will probably want to file

Text of Proposed Repealer

Rule 6.02 the regulation in order to be certain that
(Continued) it will be effective. Therefore, in doubtful cases where the question of whether or not a regulation comes within the statutory definition of a "Rule" is fairly debatable, the Secretary of State will accept the regulations for filing. The Secretary of State will, however, refuse to accept for filing any material which is clearly not in compliance with the statutory definition.

NOTICE:

The Illinois Register is published weekly. Information or subscription rates and mailing of the Illinois Register can be obtained at the Secretary of State, Rules and Regulations, 490 Centennial Building, Springfield, Illinois, 62756.

Phone: (217) 782-9786
 (217) 782-8570

Text of Proposed Repealer

ILLUSTRATION I

Solid Line Shall Be
One Inch From Top
Of Page & One Inch
Margin From Each Side

ILLINOIS REGISTER

Text of Proposed Repealer

ILLUSTRATION IICERTIFICATION OF RULES

The _____
(Name of Agency, Board, Commission or Department)
certifies that the attached hereto is a true and correct
copy of: _____ Rules and Regulations, Chapter and Article,
_____ Page or Pages

which was duly _____ on the
(Adopted, Amended or Repealed)
_____ day of _____, 19____

Statutory Authority: _____ Illinois Revised Statutes

(Chapter) _____ (Paragraph)

Dated this _____ day of _____, 19____

(Signature of Officer)

(Title of Officer)

Text of Proposed Repealer

ILLUSTRATION IIICERTIFICATION OF RULESEMERGENCY ADOPTION

The _____
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certifies that the attached hereto is a true and correct
copy of: _____ Rules and Regulations, Chapter and Article,
_____ Page or Pages _____

which was duly _____ on the
(Adopted, Amended or Repealed)

_____ day of _____, 19 _____

Statutory Authority: _____ Illinois Revised Statutes

_____ (Chapter)

_____ (Paragraph)

Dated this _____ day of _____, 19 _____

(Signature of Officer)

(Title of Officer)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
NOTICE OF PROPOSED RULEMAKING

Agency: Joint Committee on Administrative Rules

Statutory Authority: Chapter 127, Paragraph 132.5 (Section 5
of the Illinois Purchasing Act)

Summary and Purpose of Proposed Rulemaking:

These rules are to meet the requirements of the Purchasing Act which require the adoption of purchasing rules by each state agency. These proposed rules adopt by reference the purchasing rules of the Department of Administrative Services.

Submission of Comments:

If any interested person wishes to present their views concerning these rules, they may do so by sending written comments to:

Joint Committee on Administrative Rules
612 South Second Street, Lower Level
Springfield, Illinois 62706

All written comments should be received within 30 days of the publication of this notice. Any person submitting a written notice of his intent to comment within 14 days of the publication of this notice will be given a reasonable opportunity to make such comments.

PURCHASING AND CONTRACTS

- Rule 1.1 In the following instances goods and services will be procured after investigation as to the most economical source, considering convenience and necessity for early delivery or completion but without advertisement for bids and without asking for competitive bids:
- (a) for personal services payable from an appropriation for personal services; and
 - (b) for services requiring professional, or artistic skills.
- Rule 1.2 Contracts for the purchase of commodities or equipment will be made through the purchasing facilities of the Department of Administrative Services in accordance with the rules and regulations of that Department governing such purchases.
- Rule 1.3 All office supplies furnished for the use of the office of the Joint Committee on Administrative Rules shall be purchased in accordance with the rules and regulations of the Department of Administrative Services.
- Rule 1.4 Purchases of printing paper, stationery, envelopes and printing shall be made in accordance with the rules and regulations of the Department of Administrative Services.
- Rule 1.5 Plans, specifications and bid documents for repairs maintenance, remodeling, renovation or construction of buildings may be procured from the Capital Development Board. Prospective bidders for such projects may be selected from the prequalification list, maintained by the Capital Development Board. All advertising or other solicitation for bids and the letting of the resulting contract to the lowest bidder shall be by the Executive Director and in the name of the Joint Committee on Administrative Rules.

CUMULATIVE INDEX

issue - page

PROPOSED RULES

AGING, DEPARTMENT ON

Title V Applications - Funds for Senior Centers.....	1 - 4
Repeal of the Rule for the Application for Funds Under Title V of the Older Americans Act.....	10 - 4

AGRICULTURE, DEPARTMENT OF

Livestock Auction Markets and Marketing Centers.....	10 - 26
Swine Disease Control and Eradication Act.....	10 - 32
Swine Brucellosis.....	10 - 37
Brovine Brucellosis.....	10 - 44
Diseased Animals.....	10 - 51
Bovine Tuberculosis.....	10 - 60
Notice of Change in the Date of Public Hearing.....	11 - 1

CHILDREN AND FAMILY SERVICES, DEPARTMENT OF

Regulation 5.22, Criminal History Checks of Foster Family Home Applicants.....	12 - 92
---	---------

CONSERVATION, DEPARTMENT OF

Game Code - Taking wild turkey gobblers.....	9 - 1
Hunting of white - tailed deer with firearm.....	11 - 2

CORRECTIONS, DEPARTMENT OF

Adult Division - Correctional Industries (#700).....	11 - 8
Adult Division - Demotion and Restoration in Grade (#811).....	11 - 11
Adult Division - Statutory Good Time (#813).....	11 - 15
Adult Division - Institution Credits (#814).....	11 - 20
Adult Division - Mail Privileges for Residents (#823).....	11 - 24
Adult Division - Use of Therapeutic Restraint Measures (#842).....	11 - 29
Adult Division - Good Conduct Credits (#843).....	11 - 32
Adult Division - Grievance Procedures for Residents (#845).....	11 - 35
Adult Division - Meritorious Good Time (#864).....	11 - 39
Adult Division - Compensatory Good Time Credits (#866).....	11 - 41
Adult Division - Community Correctional Center Revocation Hearings (#1201).....	11 - 45
Adult Division - Independent Release Time (#1202).....	11 - 49
Adult Division - Community Correctional Center Leaves (#1203).....	11 - 52
Adult Division - Level System (#1204).....	11 - 55
Juvenile Division - Reporting Unusual Incidents (#006).....	11 - 59
Juvenile Division - Discipline (#509).....	11 - 63
Juvenile Division - Transfer of Youths (#522).....	11 - 79
Juvenile Division - Emergency Transfer of Youths (#523).....	11 - 82
Juvenile Division - Attorney Visitation (#524).....	11 - 85
Juvenile Division - Use of Alternative Placements for Youths (#525)....	11 - 87
Juvenile Division - Statutory Good Time (#526).....	11 - 89
Juvenile Division - Compensatory Good Time Credits (#527).....	11 - 93
Juvenile Division - Good Conduct Credits (#528).....	11 - 96
Juvenile Division - Institution Credits (#529).....	11 - 99
Juvenile Division - Meritorious Good Time (#530).....	11 - 103

(continued)

CUMULATIVE INDEX

issue - page

PROPOSED RULES - Continued

CORRECTIONS, DEPARTMENT OF

Juvenile Division - Good Time for Misdemeanants (#531).....	11 -105
Juvenile Division - Advocacy Services (#601).....	11 -108
Juvenile Division - Request for Changes in Dispositional Orders (#602)..	11 -110
Juvenile Division - Writs of Habeas Corpus for Appearance of Youths in Court (#603).....	11 -112
Juvenile Division - Warrants for Apprehension - Issuance and Cancellation (#604).....	11 -114
Juvenile Division - Transfer of Youths to the Department of Mental Health & Developmental Disabilities (#605).....	11 -116
Juvenile Division - Master Record File (#606).....	11 -119
Juvenile Division - Daily Population Reports (#607).....	11 -123
Juvenile Division - Research & Evaluation (#608).....	11 -125
Juvenile Division - Interstate Compact (#610).....	11 -127
Juvenile Division - Release of Information to Other Agencies (#611).....	11 -129
Juvenile Division - Monitoring of Services to Youths Placed with Other Agencies (#612).....	11 -131
Juvenile Division - Notice of Eligibility for Parole (#614).....	11 -133
Juvenile Division - Reception & Assessment Procedures & Reports (#616)..	11 -135

DANGEROUS DRUGS COMMISSION

Illinois Controlled Substances Act - Schedules.....	5 -196
Illinois Controlled Substances Act - Lorazepam.....	6 - 79
Illinois Controlled Substances Act - Phencyclidine.....	7 - 32
Drug Abuse Programs - Amendments.....	8 - 96
Drug Abuse Programs - Art. VIII.....	11 -139

EDUCATION, STATE BOARD OF

Secular Textbook Loan Regulations - Amendments.....	11 -146
---	---------

ELECTIONS, STATE BOARD OF

Amendment to State Board of Elections Travel Regulations.....	10-185
Amendments to Regulation 1976-10.....	10-201
Adoption of new Regulations - Campaign Finance Regulations.....	10-203

ENVIRONMENTAL PROTECTION AGENCY

Criteria for Determining Construction Grant Priorities for Municipal Sewage Treatment Works Needs - Fiscal Year 1978.....	5 -131
--	--------

HEALTH FACILITIES PLANNING BOARD

Chapter 1 - Rules of Organization.....	12 - 54
--	---------

INDUSTRIAL COMMISSION

Amendments Governing Practice before the Industrial Commission Under the Workmen's Compensation & Occupational Disease Acts.....	12 - 16
---	---------

INSURANCE, DEPARTMENT OF

Religious & Charitable Risk Pooling Trusts - Rule 56.01.....	3 - 40
Pension Examination & Compliance Procedure - Rule 22.01.....	9 - 5
Rule 20.07 - Minimum Standards of Individuals Accident & Health Insurance.....	12 - 20

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Purchase Rules.....	13 - 36
---------------------	---------

(continued)

PROPOSED RULES - Continued

LAW ENFORCEMENT COMMISSION

Adoption of Financial Guidelines..... 10 - 75

LAW ENFORCEMENT, DEPARTMENT OF

Adoption of Regulation; Criminal History Record Information..... 10 - 62

PERSONNEL, DEPARTMENT OF

Classification & Rates Schedules..... 9 - 14

Adoption of Classification & Rate Schedule..... 10 - 68

POLLUTION CONTROL BOARD

Noise Pollution Regulations - Motor Racing..... 2 - 53

Water Pollution - Constituent Cyanide..... 5 - 10

Board Procedural Rules..... 5 -113

Water Pollution - NPDES..... 5 -117

Air Pollution Regulations - Nitrogen Oxide..... 6 - 82

Noise Pollution Regulations - Motor Racing..... 8 - 53

PUBLIC AID, DEPARTMENT OF

Medical Vendor Administrative Proceedings..... 2 - 32

Rate Schedules for ICF/MR Payment..... 4 - 1

Rate Schedules for SNF/PED Payment..... 5 - 34

Chore & Housekeeping Services..... 6 -115

Confidentiality of Case Information..... 11 -148

Amendments to Registration/Participation Requirements..... 12 - 1

Amendment to Rule 4.14 - Group Care Services..... 12 - 96

Administrative Hearings, Rule 7.03..... 11 -151

PUBLIC HEALTH, DEPARTMENT OF

Grant Awards to Family Practices Residency Programs..... 2 - 80

Licensure of Home Health Agencies..... 3 - 14

Processing Applications for Permit Filed by Hospitals..... 5 -173

Health Care Facilities Plan - Rule 3.03.C..... 5 -177

Evaluative the Impact of Health Programs..... 5 -181

Choke - Saving Methods Act..... 6 -122

Processing Applications for Permit Filed by Hospitals..... 8 - 82

Health Care Facilities Plan - Rule 3.03.C..... 8 - 86

Revision of Rule 4.04.1 for Processing Applications for Permit

Filed by Hospitals..... 12 - 70

Revision of Rules in Section 4B.05 for Processing Applications for

Permit Filed by Long-Term Care Facilities..... 12 - 72

RACING BOARD

Repeal of Rules Regarding Big "Q" and "P" Wagering..... 12 - 85

REGISTRATION AND EDUCATION, DEPARTMENT OF

Continuing Medical Education..... 2 - 67

Continuing Medical Education..... 3 - 1

Public Museums - allocation of funds..... 8 - 46

Illinois Medical Practice Act..... 10 - 70

Amendment to the Illinois Veterinary Medicine & Surgery Practice

Act; Application & Examination..... 12 - 50

(continued)

PROPOSED RULES - Continued

CUMULATIVE INDEX

REVENUE, DEPARTMENT OF

Coin-operated Amusement Device Tax Rules..... 8 -114

SECRETARY OF STATE

Administrative "Rules on Rules"..... 13 - 1

Repeal of Administrative "Rules on Rules"..... 13 - 27

TEACHER'S RETIREMENT SYSTEM

Adoption of Rules..... 8 - 72

ADOPTED RULES

DANGEROUS DRUGS COMMISSION

Drug Abuse Programs..... 8 - 1

FINANCIAL INSTITUTIONS, DEPARTMENT OF

Community & Ambulatory Currency Exchanges - Maximum Rates to be
Charged for Check Cashing & Writing Money Orders..... 5 - 1

INSURANCE, DEPARTMENT OF

Rule 56.01 - Religious & Charitable Risk Pooling Trusts..... 12 - 77

SAVINGS & LOAN COMMISSIONER, OFFICE OF THE

Regulation & Mortgage Bankers..... 2 - 1

EMERGENCY RULES

AGING, DEPARTMENT ON

Title V Notification Grant Award Form..... 1 - 1

Policy & Procedural Manual, Grantee/Title III; Grantee/Title VII..... 7 - 39

Policy & Procedural Manual, Grantee/Title III, Section 10.00.000..... 7 - 46

Policy & Procedural Manual, Grantee/Title III, Section 10.10.110..... 7 - 50

CONSERVATION, DEPARTMENT OF

Adoption of Regulations Pertaining to Activities of Shooting Preserve
Areas..... 10 -205

CORRECTIONS, DEPARTMENT OF

Adult Division - Administration of Discipline (Maintaining Good Order).. 6 - 1

Juvenile Division - Compensatory Good Time Credits..... 6 - 20

Juvenile Division - Meritorious Good Time..... 6 - 23

Juvenile Division - Statutory Good Time..... 6 - 25

Juvenile Division - Institution Credits..... 6 - 29

Juvenile Division - Good Time for Misdemeanants..... 6 - 33

Juvenile Division - Good Conduct Credits..... 6 - 36

Adult Division - Independent Release Time..... 6 - 39

Adult Division - Institution Credits..... 6 - 42

Adult Division - Good Conduct Credits..... 6 - 46

Adult Division - Community Correctional Center Revocation Hearings..... 6 - 49

Adult Division - Community Correctional Center Leaves..... 6 - 53

Adult Division - Level System..... 6 - 56

Adult Division - Demotion & Restoration in Grade..... 6 - 60

Adult Division - Meritorious Good Time..... 6 - 64

Adult Division - Compensatory Good Time Credits..... 6 - 66

Adult Division - Grievance Procedure for Residents..... 6 - 70

Adult Division - Statutory Good Time..... 6 - 74

CUMULATIVE INDEX

issue - page

EMERGENCY RULES - Continued

CORRECTIONS, DEPARTMENT OF

Juvenile Division - Discipline..... 6 - 99

ELECTIONS, STATE BOARD OF

Campaign Finance Regulations, Rule 9.11..... 5 -109

Challengers & Pollwatchers for School Districts & Community College
Districts..... 5 -111

Travel Regulations..... 5 -157

ENVIRONMENTAL PROTECTION AGENCY

Adoption Criteria For Sewage Treatment Needs for 1979..... 10 -231

FAIR EMPLOYMENT PRACTICES COMMISSION

Adoption of Amendments to Rules & Regulations..... 12 - 11

INSURANCE, DEPARTMENT OF

Improper Claims Practice - Rule 9.19..... 1 - 29

JOINT COMMITTEE ON ADMINISTRATIVE RULE

Adoption of Purchase Rules..... 10 -283

LAW ENFORCEMENT COMMISSION

Adoption of E.E.O. Guidelines..... 10 -257

Adoption of Financial Guidelines..... 10 -282

LAW ENFORCEMENT, DEPARTMENT OF

Adoption of Rules & Regulations for the Board..... 10 -206

LEGISLATIVE TRAVEL CONTROL BOARD

Lodging, Per Diem, & Meal Rates - Legislative Employees..... 8 - 90

PRISONER REVIEW BOARD

Prisoner Review Board Rules..... 7 - 3

PUBLIC AID, DEPARTMENT OF

Assistance Program Restrictions - Rule 3.02..... 5 -194

Chore & Housekeeping Services - Rule 5.21..... 6 -115

Administrative Hearings, Rule 9.16 & 7.03..... 11 -151

PUBLIC HEALTH, DEPARTMENT OF

Guidelines for CT Scanners..... 5 - 29

Guidelines for Advanced Life Support..... 6 -128

Family Practice Residency Act - Award Grants..... 7 - 51

Illinois Water Well & Pump Installation Contractor's License..... 9 - 30

STATEWIDE HEALTH COORDINATING COUNCIL

Adoption of Planning Guidance Manual for the Development of Health Plans 11 -157

(continued)

CUMULATIVE INDEX

issue - page

FEDERAL OR COURT ORDERED RULES

PUBLIC AID, DEPARTMENT OF

Physicians' Services - Rule 4.03.....	3 - 48
Application for General Assistance & Aid to the Medically Indigent.....	11 -191

JOINT COMMITTEE ON ADMINISTRATIVE RULES - STATEMENT OF OBJECTIONS

INSURANCE, DEPARTMENT OF

Religious & Charitable Risk Pooling Trust - Rules 56.01.....	9 - 33
--	--------

PUBLIC AID, DEPARTMENT OF

Medical Vendor Administrative Proceedings.....	9 - 35
Rate Schedules for SNF/PED Payment.....	9 - 39

PUBLIC HEALTH, DEPARTMENT OF

Water Well Pump Installation Code Rules.....	6 -217
Food Service Sanitation Rules.....	6 -219
Water Well Construction Code Rules.....	6 -221
Licensing of Hospitals.....	6 -223
Grant Awards to Family Practice Residencies.....	9 - 41
Licensure of Home Health Agencies.....	9 - 44



ALAN J. DIXON
Secretary of State

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